

Appl'n No. 09/545,589
Responsive Amendment dated May 24, 2005
Reply to Office Action of February 24, 2005

REMARKS/ARGUMENTS

Independent Claims 16, 34 and 47 have been amended to clarify the claim language. It is the Applicants' position that one of ordinary skill in the art would have read the claim language as requiring "combining the random sequence and the generated information to form a random key," but at the Examiner's request, Applicants revised the claim to expressly so state. The clarification is not meant to result in any prosecution history estoppel.

Rejections under 35 U.S.C. § 112 second paragraph

Claims 16, 34, 47

Though the Applicants contend that one of ordinary skill in the art will readily understand the claims as originally presented, the Applicants' amended the claims in accordance with discussion with the Examiner. So the 35 USC §. 112 second paragraph rejections are moot and the Applicants request that they be withdrawn

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135 U.S.C. § 101 Rejections based on a judicially created doctrine of double-patenting

Although the Applicants disagree with the Examiner's characterization of US Patent No. 5,822,432 and US Patent No. 5,889,868, in order to expedite obtaining a notice of allowance, the Applicants submit herewith two "Terminal Disclaimer To Obviate A Double Patenting Rejection Over A Prior Patent", under 37 CFR 3.73 (b) to overcome the rejections of Claims 16-52 and 59-86 under the doctrine of obviousness-type double-patenting over Claims 1-36 of US Patent No. 5,822,432 and obviousness-type double-patenting over Claims 1-57 of US Patent No. 5,889,868

In view of the terminal disclaimer, Applicants request that the Examiner withdraw the rejections under § 101.

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Conclusion


Applicant maintains that this application is in condition for allowance, and such disposition is earnestly solicited.

It is believed that no other fees are required to ensure entry and consideration of this response.

Respectfully submitted,

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